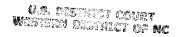


OCT - 2 2008

# UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION



| v.                     | )<br>) | BILL OF INFORMATION       |
|------------------------|--------|---------------------------|
| ROBERT NORMAN CALLIHAM | )      | 18 U.S.C. § 1030(a)(2)(C) |

#### THE UNITED STATES ATTORNEY CHARGES:

#### INTRODUCTION

- 1. From in or about 2001 through his termination on or about May 18, 2007, the defendant, ROBERT NORMAN CALLIHAM, was employed as a senior process engineer and a sales manager for CommScope, Inc. (CommScope). CommScope is a network infrastructure manufacturer based in Hickory, North Carolina.
- 2. While still an employee at CommScope, CALLIHAM obtained the username and password of CommScope Employee #1, which Employee #1 was authorized to utilize to access Commscope's computer system to, among other things, check Employee #1's business e-mail from a remote location.
- 3. At all times relevant herein, CommScope's computer system was a "protected computer" for purposes of 18 U.S.C. § 1030(e).
- 4. Following his termination on or about May 18, 2007, CALLIHAM was no longer authorized to access CommScope's computer system.
- 5. Nevertheless, beginning in or about May 2007, and continuing through on or about May 2, 2008, CALLIHAM repeatedly and without authorization accessed CommScope's computer system by logging on as Employee #1, and reviewing Employee #1's CommScope email.
- 6. Regardless of CALLIHAM's motive for obtaining such information, the value of the information CALLIHAM obtained through such unauthorized access exceeded \$5,000.

### **COUNT ONE**

- 7. The United States Attorney realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 6 of the Bill of Information, and further alleges that:
- 8. From in or about May 2007 through on or about May 2, 2008, in Catawba County, within the Western District of North Carolina and elsewhere, the defendant,

## ROBERT NORMAN CALLIHAM

in interstate and foreign commerce, intentionally accessed a protected computer without authorization, obtained information from that protected computer, and the value of the information obtained by the defendant exceeded \$5,000.

All in violation of Title 18, United States Code, Sections 1030(a)(2) and (c)(2)(B)(iii).

GRETCHEN C.F. SHAPPERT UNITED STATES ATTORNEY

KURT W. MEYERS

ASSISTANT UNITED STATES ATTORNEY